

REMARKS

This Amendment is filed in response to the Official Action of March 23, 2006. The shortened statutory period for filing a response having expired June 23, 2006, Applicants submit herewith a three-month extension petition to reset the deadline for responding to the Official Action to and including September 23, 2006. In view of the following amendments and remarks, reconsideration of the Examiner's rejections and notice of allowance of all pending claims is respectfully requested.

Prior to this amendment, claims 1-42 were pending in the present application. Applicants acknowledge with appreciation the Examiner's indication that claims 5-26 and 31-41 include patentable subject matter, and would be allowed if rewritten in independent form to include each of limitations of the respective base claim and any intervening claims. By way of the present Amendment, Applicants have endeavored to present only the allowable subject matter. In doing so, Applicants have cancelled claims 2, 4-5 and 30-31, leaving claims 1, 3, 6-29, and 32-42 presently pending.

Claim 1 has been amended to include the patentable features taken from claim 5, which the Examiner has previously indicated as being allowable. These features also include those of claims 2 and 4. It is noted, however, that such features do not include those of claim 3. Rather, although previously allowed claim 5 depended from claim 3 (through claim 4), it is believed that the patentability of claim 5 was based on at least the water brake drivingly connected to the internal combustion engine contained therein, and not necessarily on the features of claim 3. Claim 3 has been amended to depend from claim 1, and is believed to therefore be allowable.

Independent claim 28 has been amended to include the features of claims 30 and 31. Just as the features of claim 3 were not amended into claim 1, the features of claim 29 have not

been amended into claim 28. Nevertheless, it is firmly believed that claim 28, as amended, is patentable at least based on the addition of the limitations found in former claim 31, for example, a water brake drivingly connected to a prime mover.

Claim 42, although previously rejected, has been amended to include several features of the other allowed claims. One such feature includes the water brake drivingly connected to a prime mover.

Claims 3, 6-27, 29, and 32-41 each depend from either claim 1 or claim 28, and are therefore believed to be allowable. Notwithstanding, it is further believed that such claims include additional patentable subject matter in their own rights.

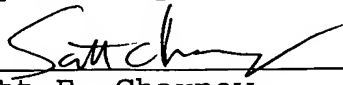
As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance of each of the pending claims is earnestly solicited.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone Applicants' attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: September 18, 2006

Respectfully submitted,

By   
Scott E. Charney  
Registration No.: 51,548  
LERNER, DAVID, LITTENBERG,  
KRUMHOLZ & MENTLIK, LLP  
600 South Avenue West  
Westfield, New Jersey 07090  
(908) 654-5000  
Attorney for Applicants

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: September 18, 2006

Signature: Scott E. Charney

(Scott E. Charney)

Docket No.: MOFFAT 3.0-033  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Foster et al.

Application No.: 10/795,945

Filed: March 8, 2004

For: HYBRID COILED TUBING/FLUID  
PUMPING UNIT

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: Group Art Unit: 3672  
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: Examiner: K. L. Thompson  
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

COMMUNICATION

Dear Sir:

A Petition under 37 C.F.R. § 1.47(A) was filed on December 20, 2004 stating that the inventor, Robert Joseph Foster, refused to join in the application for patent by refusing to sign the oath or declaration as required under 37 C.F.R. § 1.63. The Petition was granted on January 26, 2005, giving the present application status under § 1.47(A). Notwithstanding, the non-signing inventor, Robert Joseph Foster, has now signed a Declaration. A copy of the Declaration is enclosed herewith for filing.

If there are any questions regarding this communication, please contact the Applicant's attorney at (908) 654-5000.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account 12-1095 therefor.

Dated: September 18, 2006

Respectfully submitted,

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Registration No.: 51,548

LERNER, DAVID, LITTENBERG, KRUMHOLZ  
& MENTLIK, LLP

600 South Avenue West  
Westfield, New Jersey 07090  
(908) 654-5000

Attorney for Applicants